

**MINUTES OF THE MEETING OF THE RUTHERFORD COUNTY BOARD OF COMMISSIONERS
HELD AT THE RUTHERFORD COUNTY OFFICE BUILDING IN THE COUNTY COMMISSIONERS'
MEETING ROOM ON NOVEMBER 5, 2012 AT 6:00 P.M.**

**PRESENT: CHAIRMAN JULIUS OWENS
VICE CHAIRMAN WILLIAM ECKLER
SUSAN CROWE
EDDIE HOLLAND
ROGER RICHARD**

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CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman Owens called the meeting to order. Commissioner Crowe led the pledge of allegiance.

AGENDA FOR MEETING

Vice Chairman Eckler noted that some changes needed to be made regarding the special meeting and the regular meeting on December 3. Therefore, he moved to add discussion to the agenda regarding the times of a special meeting and the regular meeting on December 3, 2012. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

Commissioner Crowe moved that the agenda for the November 5, 2012 meeting be approved with the additional item. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

PUBLIC COMMENTS

Mr. Del Ligon spoke representing the Marine Corps League. He told the Board that the position of Veterans' Service Officer is very important to veterans, and the present Veterans' Service Officer desperately needs help. At some point the VSO will retire so a person needs to be in place to be trained to fill that position.

Mr. Frank Reno also spoke in support of an additional position in the Veterans Service Office stating that approximately two years are needed for training an individual for that position.

Mr. Jim Brewer advocated mandates to spending practiced by County Commissioners.

Mr. Mike Dalton asked that the Board observe a moment of silence for Mr. Pat Patterson who had been a regular attendee at County Commissioners' meetings. He also thanked Commissioner Crowe for her four years of service to Rutherford County.

COMMISSIONER CROWE

Vice Chairman Eckler read a letter from Isothermal Planning and Development Commission Director Jim Edwards thanking Commissioner Crowe for her service on the IPDC Board of Directors. Rutherford-Polk-McDowell Health Director Jimmy Hines also applauded Commissioner Crowe for her service on the Health Board.

Chairman Owens presented a plaque to Commissioner Crowe for her four years of service as a County Commissioner and thanked her for her contributions to Rutherford County. The Board joined him in wishing her well in her future endeavors.

MEETING/SPECIAL MEETING

County Manager Carl Classen told the Board that the Rules and Procedures for Rutherford County Commissioners states that "*The Board shall hold an organizational special meeting at its regular meeting place at 10:00 AM on the first Monday in December of each even-numbered year. The agenda for this organizational meeting shall be limited to induction of newly elected members of the Board of County Commissioners and other elected county officials and the organization of the Board for the ensuing year. The organizational meeting shall be convened and concluded before the regular December meeting is convened.*" The regular meeting is scheduled to be held at 10:00 AM.

In order to comply with Rule 4, County Manager Carl Classen recommended that a special meeting be called to convene at 10:00 AM on December 3 in order to conduct the items of business set forth in Rule 4. He also recommended that the time of the regular December 3 meeting be changed to 6:00 P.M.

Vice Chairman Eckler moved to call a special meeting at 10:00 AM on December 3 and change the regular meeting of December 3 to 6:00 P.M. in order to comply with Rule 4. The motion passed with Commissioners Owens, Eckler, Crowe, and Holland, voting aye; Commissioner Richard voting no; no Commissioners excused; and no Commissioners absent.

APPOINTMENTS/WORKFORCE DEVELOPMENT CONSORTIUM

A request had been received that Mr. Matt Blackwell, Ms. Lori Ray, and Mr. Robert Vess be appointed to the Workforce Development Consortium. Mr. Blackwell is being recommended in his capacity as Economic Development Director and would replace Tom Johnson. Mr. Vess would replace Wesley Smith, and Ms. Ray would replace Rhett Oglesby.

Commissioner Crowe made a motion to approve the appointments of Matt Blackwell in his capacity as Rutherford County Economic Development Director, Robert Vess, and Lori Ray to the Workforce Development Consortium. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

APPOINTMENT/UNION MILLS FIRE DEPARTMENT BOARD OF TRUSTEES FOR FIREMEN'S RELIEF FUND

The Union Mills Volunteer Fire Department had requested that Ms. Susan Parker Tate be appointed to the Union Mills Volunteer Fire Department Board of Trustees for Firemen's Relief Fund.

Vice Chairman Eckler moved that Ms. Susan Parker Tate be appointed to the Union Mills Volunteer Fire Department Board of Trustees for Firemen's Relief Fund. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

(Clerk's Note: Following the November 5, 2012 meeting, the Clerk to the Board was advised that Ms. Susan Parker Tate should not have been an appointment of the Board of Commissioners. No action was necessary on this matter.)

APPOINTMENT/BILL'S CREEK VOLUNTEER FIRE DEPARTMENT BOARD OF TRUSTEES FOR FIREMEN'S RELIEF FUND

The Bill's Creek Volunteer Fire Department has requested that Mr. Billy Williams be appointed to the Bill's Creek Volunteer Fire Department Board of Trustees for Firemen's Relief Fund.

Commissioner Crowe moved that Mr. Billy Williams be appointed to the Bill's Creek Volunteer Fire Department Board of Trustees for Firemen's Relief Fund. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

COMMISSIONER RICHARD/REQUEST FOR INFORMATION

County Manager Carl Classen said Commissioner Richard had presented a request for information that had been included in the agenda. A response from the Finance Director to a portion of the request was now available and included in a notebook which Manager Classen provided. A request to the County Attorney for the General Statute reference that allowed the County Manager to remove items from the agenda had not been included as County Attorney Richard Williams had not received a definitive answer from the Institute of Government. However, he noted that there is no statute in place that actually addresses this, but as a point of order, the Chairman should rule.

Commissioner Crowe made a motion to include any requests for information and the information in future agendas. Commissioner Richard stated his objection to this motion contending that the agenda had been approved at the onset of the meeting. Commissioner Crowe withdrew her motion.

BIDS/ROLL-OFF TRUCK/SOLID WASTE

Bids were opened October 15 for a roll-off truck for the Solid Waste Department. A copy of the bids was included in the agenda.

VENDOR	EQUIPMENT	SALES PRICE – BID OPENING	DELIVERED	TIME
COOPER	KENWORTH - T800	145,987.00	10/11/12	11:00 AM
CAROLINA TRACTOR	CATEPILLAR - CT660S	WITHDREW BID	10/15/12	10:30 AM
TRANSOURCE	MACK - GU713	139,890.00	10/15/12	1:00 PM
PIEDMONT INTL TRUCKS, LLC	INTERNATIONAL – 7600 SFA	164,722.10	10/15/12	10:00 AM
RUSH TRUCK CENTERS	PETERBUILT - 365	151,965.00	10/15/12	10:45 AM

Upon review, it is recommended by the Finance Department to accept the bid from Cooper Kenworth as the equipment provider for \$145,987. Although the Transource (Mack) truck bid offer was the lowest; it didn't meet the GVW bid specifications issued by the County of 66,000 lbs. The price also did not include the warranty coverage that was provided by Kenworth. A summary of the vendor specs that materially affected the recommendation was provided.

VENDOR	GVWR	ENGINE WARRANTY	TRANSMISSION WARRANTY	CAB WARRANTY	SCANTOOL
COOPER KENWORTH	66,000	5 YEAR FULL COVERAGE INCLUDED IN PRICE	3 YEARS	5 YEAR INCLUDED IN PRICE	UPGRADE INCLUDED IN PRICE
TRANSOURCE – MACK	62,000	2 YEAR FULL COVERAGE - \$2,700 TO UPGRADE TO 5 YEARS	3 YEARS	2 YEAR - NO UPGRADE	\$1,500 TO PROVIDE UPGRADED TOOL

After adjusting for the equalization of the warranty coverage and the scan tool upgrade, the Transource price increased to \$144,090 from \$139,890. The difference in price between the two vendors decreased to \$1,897 from \$6,097. The Transource vehicle is also 4,000 lbs less than the County requested GVW spec of 66,000 lbs.

The benefits to the County of the higher gross-vehicle-weight include lower fuel costs by the reductions of transports. The higher GVW increases the amount of materials hauled by the Solid Waste department which would lessen the number of trips overall to transport loads to and from the Landfill.

A motion was made by Commissioner Crowe to approve the bid tab and authorize the County Manager to issue a purchase order to Cooper Kenworth for a roll-off truck for the Solid Waste Department in an amount not to exceed \$145,987. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

TAX APPEAL/DR. JAMES SAPPENFIELD AND WIFE

At the October 1, 2012 meeting, the Board received an Application for Refund from Robert W. Wolf, attorney for Dr. and Mrs. James A. Sappenfield. The Board voted to table this appeal until the November meeting. Attorney Richard Williams had provided information explaining the procedures for addressing this application, and made a recommendation to the Board that the request be denied pursuant to N.C.G.S. 105-381.

A motion was made by Commissioner Crowe to approve the recommendation of the County Attorney. The motion passed with Commissioners Owens, Eckler, Crowe, and Holland, voting aye; Commissioner Richard voting no; no Commissioners excused; and no Commissioners absent.

QUEEN'S GAP/ENGINEERING PROPOSAL/ODOM AND ASSOCIATES

At the last meeting the Board approved a Queen's Gap settlement agreement with Lexon/Safeguard. The company transmitted \$12.1 million to the County on October 12. The County may and will use up to \$350,000 to pay back the General Fund for legal, engineering, and other professional fees already incurred. Also, the County may and will use the \$350,000 towards preparatory work for permits and design for the roads and BRWA water system extension. The remaining \$11.75 million can be used for final design and construction work after March 31, 2013.

The County Manager recommended that the Board enter into an agreement with Odom & Associates to perform this preparatory work. He stated that David Odom has been the engineer on this project assisting the County for several years and knows the project thoroughly. Further, he has worked closely with Broad River Water Authority (BRWA) in determining the best method for connecting Queen's Gap with BRWA. The Commissioners have the statutory authority to seek another engineer through a Request for Proposal or to appoint Odom & Associates.

Mr. David Odom of Odom and Associates stated in his proposal for Preliminary Engineering work for Queen's Gap which is thru March 31st that it is similar to the Preliminary Engineering for Grey Rock except in a few ways:

1. This not only includes the stream delineation but also includes developing the plan to clean the required streams and to bid that work and CA that work. It also includes submitting the permits for all stream impacts earlier in the project so that doesn't hold up the rest of the project.
2. It includes a water model in order to provide water service at the least cost possible.
3. It includes engineering design for the first road project only. Mr. Odom anticipates 10-12 projects based upon the road lengths but that will be determined in developing a schedule and phased approach. This allows the county to be ready to bid the first project directly after March 31st.

There will be one more engineering contract after March 31st when the remainder of the funds is released.

Commissioner Crowe made a motion to appoint Odom & Associates as project engineer for the Queen's Gap Road and Water Project. Odom has assisted the County throughout the Settlement negotiations, and he is a local engineer who is familiar with the Queen's Gap development and has recent experience working on large public construction projects for Rutherford County. Commissioner Crowe further moved to authorize the County Manager to negotiate an agreement for services with Odom & Associates and execute such agreement. She further moved to direct the County Manager to report back in writing on the engineering services agreement with Odom & Associates. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

MINUTES

Commissioner Crowe made a motion to approve the minutes of the special meeting of October 1, 2012. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

MINUTES

Commissioner Crowe made a motion to approve the minutes of the second special meeting of October 1, 2012. Commissioner Richard asked that the Board recues him from voting as he did not attend this meeting. The motion passed with Commissioners Owens, Eckler, Crowe, and Holland voting aye; no Commissioners voting no; no Commissioners excused; no Commissioner absent; and Commissioner Richard not voting.

MINUTES

Vice Chairman Eckler moved to approve the minutes of the regular meeting of October 1, 2012. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

TAX RELEASES

Commissioner Crowe moved to approve the tax releases which had first been presented at the October 1, 2012 meeting. Tax releases of more than \$100 totaled \$25,986.46 and tax releases of less than \$100 totaled \$2,480.81. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent. (A copy of these tax releases is typed in the Minute Book.)

TAX REFUNDS AND RELEASES

Commissioner Crowe moved to approve tax refunds totaling \$2,147.15 and tax releases of more than \$100 totaling \$2,402.77. Tax releases of amounts less than \$100 totaling \$2,206.72 were also presented. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent. (A copy of these tax refunds and releases is typed in the Minute Book.)

RESOLUTION/SHERIFF/SERVICE REVOLVER/ACTIVE RESERVE DEPUTY CHARLES MILTON VASSEY

Sheriff Chris Francis had requested that the Board approve a resolution in accordance with G.S. 20-187.2 awarding Active Reserve Deputy Charles Milton Vassey's service revolver to him for the sum of \$1.00. Active Reserve Deputy Vassey who also serves as an investigator for the Fire Marshall's Office is retiring.

A motion was made by Commissioner Crowe to approve the resolution. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

**Resolution Acknowledging the Service of
Active Reserve Deputy Charles Milton Vassey
and Awarding His Service Revolver to Him**

WHEREAS, Active Reserve Deputy Charles Milton Vassey has served Rutherford County Sheriff's Department for many years; and

WHEREAS, Active Reserve Deputy Vassey has dedicated his life to law enforcement and public service; and;

NOW, THEREFORE BE IT RESOLVED, the Board of Commissioners of the County of Rutherford, in accordance with NC General Statute 20-187.2, do hereby award Active Reserve Deputy Vassey his service revolver (Sig Sauer, P220, Serial Number G409192) in exchange for consideration of \$1.00.

BE IT FURTHER RESOLVED that Rutherford County Sheriff Chris Francis is authorized to make such award in accordance with NC General Statute 20-187.2.

Approved this the 5th day of November, 2012.

RESOLUTION/SHERIFF/SERVICE REVOLVER

Sheriff Chris Francis also requested that the Board approve a resolution in accordance with G.S. 20-187.2 awarding Lieutenant David Lee Petty's service revolver to him for the sum of \$1.00. Lieutenant Petty is retiring.

Vice Chairman Eckler made a motion to approve the resolution. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

**Resolution Acknowledging the Service of
Lieutenant David Lee Petty
and Awarding His Service Revolver to Him**

WHEREAS, Lieutenant David Lee Petty has served Rutherford County Sheriff's Department for many years; and

WHEREAS, Lieutenant Petty has dedicated his life to law enforcement and public service; and;

NOW, THEREFORE BE IT RESOLVED, the Board of Commissioners of the County of Rutherford, in accordance with NC General Statute 20-187.2, do hereby award Lieutenant Petty his service revolver (Glock, 30SF, Serial Number TVZ055) in exchange for consideration of \$1.00.

BE IT FURTHER RESOLVED that Rutherford County Sheriff Chris Francis is authorized to make such award in accordance with NC General Statute 20-287.2.

Approved this the 5th day of November, 2012.

BUDGET AMENDMENTS

Budget amendments were submitted for the Commissioners' consideration. Of particular note were:

(1) Veterans Service Office Fulltime Position

The County Manager recommended that the part-time position in this office be changed to a fulltime position beginning January 1, 2013.

(2) Street Name Signs' Reward

The County Manager recommended that \$1,000 be deposited to Crime Stoppers for payment of rewards leading to arrest and conviction of persons stealing County-owned street name signs.

(2) Methane Gas Project

This budget amendment depicted the current estimate of revenues and expenses on the Methane Gas Project through the end of the current year. The facility is expected to be operational in November, but coordination of the various contractors could delay start-up until December.

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Commissioner Crowe made a motion to approve budget amendments. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

	Expense	Revenue
GENERAL FUND		
Special Appropriations - Rutherford County Crime Stoppers	\$ 1,000	
Fund Balance Appropriated		\$ 1,000
*to be held for stolen signs rewards		
Court Facilities - Repairs & Maintenance to Building	\$ 2,747	
Fund Balance Appropriated - Court Facilities		\$ 1,000
Insurance Claims & Dividends		\$ 1,747
*insurance proceeds received due to lightning damage - courthouse fire alarm		
Information Technology - Capital Outlay Hardware (switch at Sheriff's Office)	\$ 2,863	
Mountains Library - Repairs & Maintenance to Building (well pump)	\$ 700	
Firing Range - Repairs & Maintenance to Building (HVAC & Alarm System)	\$ 7,595	
Insurance Claims & Dividends		\$ 9,375
Fund Balance Appropriated		\$ 1,783
*insurance proceeds received due to lightning damage at above facilities		
Farmers Market (Old Concrete Bldg) - Roof Repairs	\$ 1,028	
Insurance Claims & Dividends (additional insurance proceeds received)		\$ 572
Fund Balance Appropriated		\$ 456
*insurance proceeds received due to hail damage (total insurance \$4,903 vs. quote \$5,359); budget amendment of \$4,331 previously requested in August 2012		
Sheriff - Equipment Purchased with Seizure Funds	\$ 12,758	
Federal/State Forfeited Funds		\$ 10,814
Sheriff Drug Seizure Funds		\$ 1,944
*equitable sharing DEA distribution and unauthorized substance tax distributions		
Sheriff - Advertisement/Foreclosures	\$ 1,500	
Sheriff - Miscellaneous Revenues		\$ 1,500
*received from attorney offices to be used for possible future advertising on foreclosures		
Sheriff - Wrecker Fees/Stolen Vehicles	\$ 1,500	
Sheriff - Miscellaneous Revenues		\$ 1,500
*received from insurance company for towing/storage fees		
Detention Center - Professional Liability	\$ 5,000	
NCACC Insurance Pool	\$ (5,000)	
*professional liability deductible		

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	Expense	Revenue
Airport - Repairs & Maintenance to Airport	\$ 3,997	
Fund Balance Appropriated		\$ 3,997
*replace HVAC unit in the main building		
Veterans - Full Time Salaries & Benefits	\$ 17,458	
Veterans - Part Time Salaries & Benefits	\$ (7,477)	
Fund Balance Appropriated		\$ 9,981
*full-time clerical staff position beginning January 1, 2013; replaces part-time position		
JCPC - Psychological Services Refund	\$ 4,064	
JCPC - Administration Refund	\$ 446	
Fund Balance Appropriated		\$ 4,510
*refund unexpended JCPC funds		
DSS FUND		
Temporary Shelter Care	\$ 10,809	
Fund Balance Appropriated		\$ 10,809
*refund unexpended JCPC funds		
Special Children Adoption Funds	\$ 78,192	
Fund Balance Appropriated		\$ 78,192
*carry forward prior year allocations		
GRANT FUND		
Sheriff - Automatic External Defibrillator AED Grant	\$ 2,500	
CSX Corp Citizens Grant		\$ 2,500
*grant received to purchase AED unit and supplies		
Bechtler Documentary - Other Expenditures	\$ 2,870	
Bechtler Donations		\$ 2,870
*donations received		
SOLID WASTE FUND		
Professional Services - Landfill Access Study	\$ 1,390	
Fund Balance Appropriated		\$ 1,390
*services related to the County Landfill access as relates to the proposed US221 relocation/bypass project		
Solid Waste - Utilities/Methane Project (monthly connection fees)	\$ 9,000	
Solid Waste - Maintenance Costs/Methane Project Operational Expenditures	\$ 9,000	
Duke Power - Purchase Power Utilities Commissions Revenues		\$ 18,000

METHANE GAS/AGREEMENT

County Manager Carl Classen reported that the Methane Gas Project is close to operational. With a single person now in charge, the Project should be completed and the system operational in

the coming month. Further, the County is taking the lead, in conjunction with the State Energy Office, to form a users group of the counties that have Methane Gas Systems. Several are located in western North Carolina.

One issue remaining that requires Commissioner action is a purchase agreement with Duke Energy. The County has been advised that Methane Gas Projects typically sell electricity to utilities under 2, 5, 10, or 15 year agreements. These agreements provide a stable cost to the utility and a stable price to the provider. It is unclear under State law whether such an agreement requires Commissioner approval, but the County Manager and County Attorney both feel it is prudent that the agreement be approved by the Commissioners as it extends beyond June 30 and thus affects multiple fiscal years.

Discussion regarding the power purchase agreement has been underway and information from Duke Energy had been received after the agenda was finalized. Manager Classen said he did not have a recommendation for the Board at this time. He expects to include this on the December meeting agenda.

TOWN OF FOREST CITY/IRU

Two years ago PANGAEA created a mini fiber Point of Presence (PoP) in a Town of Forest City facility at 141 North Broadway. The Town agreed that the County could place equipment at this PoP for connectivity to the Economic Development Commission, the Emergency Services Network (ESN), the County's back up wireless communication, and other important services at no cost to the County. In exchange, the County agreed to work with the Town in the future to meet fiber needs that might arise. The Town of Forest City is now requesting two fibers on the Cherry Mountain 72-count fiber to connect their new water pump station between Sunshine School and Cherry Mountain Fire Department.

A motion was made by Commissioner Crowe to direct the County Manager to work with the County Attorney on development of an agreement with the Town of Forest City in regards to the Town's request for use of two fibers to connect to the Town's new water pump station between Sunshine School and Cherry Mountain Fire Department, to authorize the County Manager to execute such agreement, and to report back to the Board in writing. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

REQUEST FOR QUALIFICATIONS/JAIL

The FY 2012-2013 County Budget provided that the County Manager should work with the Sheriff investigating development of additional female beds at the Rutherford County Detention Facility. At the County Manager's request, Sheriff Francis provided the names of several experienced architectural firms. The next step would be to release a Request for Qualifications (RFQ) and select a firm to determine the practicality and estimated cost/revenues of adding female beds.

Vice Chairman Eckler moved to authorize the County Manager to work with the Sheriff to prepare and release an RFQ for improvements to the Rutherford County Detention Facility that will

add capacity to house female inmates. After consultation with the Sheriff, the County Manager shall submit recommendations for selection of an architectural firm to the Board of Commissioners for possible action. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

BIDS/GREY ROCK PROJECT 5

Bids were opened on October 9, 2012 for Grey Rock Development Project 5. The bids were:

Sisk Grading	-	\$763,994.00
CC Strickland Grading	-	\$809,864.00
Harrison Construction Company	-	\$915,429.50

David Odom of Odom Engineering recommended awarding the contract to Sisk Grading in the amount of \$763,994.

Commissioner Crowe moved to approve the recommended bid for Grey Rock Project 5 and authorize County Manager to execute contracts and other documents in support of the Board's actions. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

PROPOSAL FOR SERVICE/LANDFILL/US 221 RELOCATION
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J. M. Teague Engineering, PLLC had provided a Proposal and Scope of Service to coordinate with and communicate to North Carolina Department of Transportation the need and importance of maintaining the current access to the Rutherford County Landfill.

NCDOT's current 221 Rutherfordton Bypass proposal splits Laurel Hill Road and will force all of the garbage trucks to go up/down the steep incline on Industrial Park Road and will, in effect, encourage many of these garbage trucks to navigate the tight intersection at Main Street and Charlotte Road in downtown Rutherfordton. The County's proposal to NCDOT to keep Laurel Road intact has not been approved so additional data and submissions to NCDOT are necessary in continuing the issue. The Town of Rutherfordton has also engaged Teague Engineering for similar purposes in regards to the 221 Rutherfordton Bypass, and this proposal is consistent with and supplementary to the Town's efforts. The estimated cost to the County is \$1,390.

Commissioner Crowe moved to authorize the County Manager to enter into an agreement with Teague Engineering in regards to providing supplemental information to NCDOT and other agencies on the impact of the 221 Rutherfordton Bypass project on County operations. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

LOCAL LEGISLATION/CONDEMNATION

North Carolina General Statute 153A-15 requires that condemnation in one county that is initiated by a local government in another county shall first be approved by the county where the condemnation will occur. This statute applies to a number of counties in North Carolina, but Rutherford County is not included. To forestall any potential problems of another local jurisdiction condemning property in Rutherford County, it would seem prudent to add Rutherford County to the list of counties to which N.C.G.S. 153A-15 applies.

Vice Chairman Eckler moved to request that the Rutherford County legislative delegation submit legislation to have N.C.G.S. 153A-15 apply to Rutherford County. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

FEES/CREDIT AND DEBIT CARDS/SOLID WASTE/BUILDING INSPECTIONS

Finance Officer Paula Roach had worked with the County's depository (BB&T) to establish credit/debit card acceptance at the Solid Waste Transfer Station/C&D Landfill and at Code Enforcement/Building Inspections. For those agencies like the landfill where the county has existing credit accounts, the County would continue billing. For any new accounts or re-establishment of existing accounts where the account falls into arrears, the County will only accept credit/debit cards. For large accounts, the Finance Officer or County Manager would authorize credit accounts but only after appropriate review.

Commissioner Crowe moved to authorize the County Manager to establish an additional fee for County services, rounded up to the next whole dollar, when payment is made by credit or debit card. Such fees approved by the County Manager shall be reported in writing to the County Commissioners. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

For the **Transfer Station/C&D Landfill**, the rate structure will be as follows when the credit/debit card payment system is set up:

<u>Type of Fee</u>	<u>Cash Rate (no change)</u>	<u>Credit/Debit Card Rate</u>
Transfer station	47.00	49.00
Demolition	37.00	39.00
Brush/pallets	35.00	37.00
Metal	45.00	47.00
Car tire	1.00	2.00
Transfer truck tire	5.00	6.00
Tractor tire	10.00	11.00

For the **Code Enforcement/Building Inspections**, the rate structure will be as follows when the credit/debit card payment system is set up:

New Single Family Dwellings (including Modulares)

\$.22 cash rate (or \$.23 credit/debit card rate) per square foot of *gross area with a minimum fee of \$350 cash rate (or \$361 credit/debit card rate). Includes all applicable trade inspections (electrical, plumbing, gas, and mechanical). Other miscellaneous residential fees may apply.

Residential Additions or Remodels (including moving house)

\$.22 cash rate (or \$.23 credit/debit card rate) per square foot of *gross area with a minimum fee of \$250 cash rate (or \$258 credit/debit card rate). Includes all applicable trade inspections (electrical, plumbing, gas, and mechanical). Other miscellaneous residential fees may apply.

*Gross area includes basement, attached garage, carport, loft, and storage (excludes porches and decks).

Residential Accessory Structures Only Cash Rate (no change) Credit/Debit Card Rate

Garage, Workshop, Storage Building, Boathouse	\$150	\$155
Carport, Porch	\$125	\$129
Deck, Dock, Sign	\$100	\$103
Swimming Pool, Retaining Wall	\$100	\$103
Add mechanical, plumbing, gas, insulation-per trade	\$ 75	\$78

Miscellaneous Fees

3 rd trip re-inspection (and each successive trip)	\$ 75	\$78
Partial inspection	\$ 75	\$78
Inspection not ready	\$ 75	\$78

Manufactured Homes

Single-Wide	\$150	\$155
Double or Triple-Wide	\$175	\$181

Commercial Fees

\$2.50 cash rate (or \$2.58 credit/debit card rate) per \$1000 project cost, minimum \$250 cash rate (or \$258 credit/debit card rate) for building with subs; minimum fee \$75 cash rate per trade(or \$78 credit/debit card rate). Other miscellaneous fees may apply.

Other Permits	Cash Rate (no change)	Credit/Debit Card Rate
ABC	\$ 75	\$78
**Residential Demolitions-per structure	\$ 75	\$78
Mechanical/Electrical/Plumbing/Gas	\$ 75	\$78

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Test In Construction	\$ 75	\$78
Camper	\$ 75	\$78
Penalty For Working Without A Permit (+ permit fee)	\$200	\$206
GC Change -add trades for subs changed	\$75	\$78

****Commercial demolitions will be priced as Commercial Fee above, based on value of demolition.**

Permit Renewals

50% of original permit fee

Cancellation and/or Refunds

Upon written request before commencement of project, permit may be cancelled by the original permit applicant. Permit fee less \$75 will be returned to such person. No refunds on expired permits (no work started within 6 months of issue date).

COMMISSIONER SUSAN CROWE

Commissioner Crowe thanked everyone for their best wishes and stated her four years in office had been great.

ADJOURNMENT

Commissioner Crowe made a motion to adjourn. The motion passed with Commissioners Owens, Eckler, Crowe, Holland, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

7:15 P.M. - Adjourned.

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

Attest:

Clerk, Board of Commissioners